

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

THE ESTATE OF ROGER KREUTZ,)	
(Deceased), and EDWARD KREUTZ,)	
Personal Representative of THE)	
ESTATE OF ROGER KREUTZ,)	
DECEASED and EDWARD C. KREUTZ)	Case No.: 4:11-CV-01023
SR., Individually,)	
)	
Plaintiffs,)	
)	
)	
STARBUCKS CORPORATION,)	
)	
Defendant.)	
)	

MOTION TO STRIKE AND TO WITHDRAW JOINT STIPULATION FOR DISMISSAL
FILED ON OCTOBER 3, 2011

Starbucks Corporation, (hereinafter referred to as "Starbucks"), by and through counsel, for its Motion to Strike and to Withdraw the Joint Stipulation for Dismissal inadvertently filed on October 3, 2011 states:

1. On October 3, 2011, counsel for Starbucks inadvertently filed a Joint Stipulation for Dismissal Without Prejudice.
2. As explained in Starbucks' Response to Plaintiffs' Motion for Leave to Dismiss Without Prejudice, the parties have not finalized a dismissal for this matter.
3. Accordingly, the Joint Stipulation for Dismissal filed with the Court on October 3, 2011 should be withdrawn and/or stricken.

WHEREFORE, Defendant Starbucks Corporation prays for an Order of the Court withdrawing and/or striking the Joint Stipulation for Dismissal Without Prejudice filed on October 3, 2011, and for such other and further relief as the Court deems just.

DATED THIS 4th DAY OF October, 2011.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of October, 2011, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all parties of record.

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/s/ John W. Cowden